THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15218 of 2006

DATED: 25-07-2006

Between:

Nallamekala Venkateswarlu.

..Petitioner.

and

The State Election Authority, Andhra Pradesh, B.R.K.R.Bhavan, Tank Bund, Hyderabad and others.

..Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.15218 of 2006

ORDER:

Heard the counsel.

This writ petition is filed for a writ of mandamus declaring the action of the respondents 1 to 4 in accepting the nominations of respondents 5 & 6, who belong to Telaga Caste, in Gram Panchayat Sarpanch elections of Machavaram Village, Machavaram Mandal, Guntur District in spite of they belong to open category in Guntur District, but not come under Backward Class Community, which is reserved for only Backward Class Community as illegal and arbitrary and pass such other suitable orders.

The main ground of attack is that the respondents 5 and 6 are belonging to Telaga caste, which is a Forward Caste and they are being treated under Backward Caste Community. On the *prima facie* allegation, it appears to be a disputed question of fact. The voters' list is also produced before this Court to arrange the same. In view of the fact that the process of election is at the advance stage, this Court is not inclined to interfere with the same. However, liberty is given to the petitioner to approach the competent Election Tribunal by way of an election petition.

With the above observation, the Writ Petition is disposed of. No costs.

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P.S.NARAYANA,J

Dated:25-07-2006

sj